

FEDERAL COURT HEADING

UNITED STATES OF AMERICA)
)
v.)
)
 JOHN H DOE, et al.)
_____)

MOTION TO ACQUIT, DISCHARGE AND ENJOIN REQUIRED PARTIES

Trading With the Enemy Act § 7(e) and Federal Rules of Civil Procedure Rule 19

1. There appears to be a mistake and the undersigned author, (i), apologize if my acts, actions and inactions have led any one to believe (i) am the person of the principal debtor JOHN H DOE, et al. being charged in this matter.
2. The annexed certificate constitutes prima facie evidence of the facts contained therein whereby the facts are self-evident that Some Hospital is the Registrant for John Henry Doe by operation of law wherein the act of registration secured the benefits and privileges offered as Grants by United States though Title V, Sections 501-502 of the Social Security Act of 1935, 42 U.S.C. §§ 701-702, to State of Florida as administrator and usufructuary^{1,2} for the preservation of public order and safety.³
3. As such, United States and State of Florida hold the privy of the usufruct⁴ for any legal obligation, for it is written with the maxims of law that “[h]e who receives the advantage ought also to suffer the burden”⁵ because “[n]o man ought to be burdened in consequence of

¹ For illustration purposes only: “Hague IV Reg. [Regulations Respecting the Laws and Customs of War on Land, Annex to Convention (IV) Respecting the Laws and Customs of War on Land, Oct. 18, 1907, 36 Stat. 2295] art. 55 (‘The occupying State shall be regarded only as administrator and usufructuary It must safeguard the capital of these properties, and administer them in accordance with the rules of usufruct.’).”

U.S. Dep’t of Defense, Law of War Manual (Dec. 2016) § 11.18.5.2 n.324.

² For illustration purposes only: “Brigadier General George B. Davis, Working Memoranda (Confidential for the United States Delegates): The Second Peace Conference (Paragraph 2

of Programme), The Rules of War on Land, 43 (1907) ('In the meaning which has been assigned to the term 'usufruct' in both the common and civil law, the usufructuary is entitled to the enjoyment of the revenue so long as he preserves the substance or capital of which he appropriates and uses the usufruct. In its application to the commanding general of occupied territory this means that, so long as he maintains the properties thus unimpaired, he may apply the usufructuary revenue to the necessary expenses of the military occupation.')." Id. n.326 (underscore added).

³ For illustration purposes only: "The Occupying Power has a general duty to maintain public order and to provide for the preservation of rights of the inhabitants, including rights to their private property." Id. § 11.5.

⁴ For illustration purposes only: "The term usufruct means literally 'to use the fruit.' The Occupying Power may use and enjoy the benefits of public real (immovable) property belonging to an enemy State, but does not have the right of sale or unqualified use of such property." Id. § 11.18.5.2, 2d para.

⁵ *Qui sentit commodum, sentire debet et onus*, Black's Law Dictionary (4th rev. ed. 1968).

another's act,"⁶ and "[e]very one may renounce a right introduced for his own benefit";⁷ "that is to say, no one can be compelled to accept a benefit."⁸ Moreover, U.S. Constitution Article 1, Section 8, Clause 17, 1 Stat. 10, limits the jurisdiction of Congress.⁹

4. Furthermore, "[t]he execution of law does no injury,"¹⁰ "[t]hings unlike ought not to be joined,"¹¹ and all works are done in this name for the glory of the nation for all mutually pledge to each other our lives, our fortune, and our sacred honor with a firm reliance upon divine Providence.¹²
5. By operation of law the **JOHN H DOE**, et al., name is a "famous mark" and "work of the law" derived from the **John Henry Doe** name affixed to the attached certificate of live birth.
6. As such, United States and State of **Florida** experienced the benefit of the bargain and United States v. PeWee Coal Co., 341 U.S. 114, 71 S.Ct. 670, 95 L.Ed. 809 (1951), applies with United States and State of **Florida** as "proprietor" for **JOHN H DOE**, et al.
7. The undersigned author, (i), accepts the grant of hospitality extended by *The United States of America* and **Michigan** with adoption, as his own, to the exclusion of all others, of the person of **John Henry Doe**, SS № **111-22-333**, date of birth **01/01/01**, on file with **Michigan** Department of Vital Statistics, File № **111-22-345678**.

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6 *Nemo ex alterius facto praegravari debet, id.*
7 *Quilibet potest renunciare juri pro se introducto, id.*
8 *Invito beneficium non datur, id.*
9 1 United States Code, Organic Laws of the United States (2018), Front Matter, LXI.
10 *Executio juris non habet injuriam, Black's, supra* note 5.
11 *Disparata non debent jungi, id.*
12 See Declaration of Independence last sentence, 1 Stat. 1; Organic Laws, supra note 9 at XLVII.

8. Therefore, in execution of the “Laws of the Union” and with free will act and deed, undersigned did surrender undersigned’s ADVERSE CLAIM in the live birth event to STATE OF **FLORIDA** in usufruct, to and for the account of **Florida**, with any interests in reversion assigned to United States, to and for the account of *The United States of America*, pursuant to and with full faith and reliance upon Trading With the Enemy Act (“TWEA”) § 7(e), 40 Stat. 411 [50 U.S.C. § 4305(b)(2)] with endorsement of the “receipt”¹³ given to undersigned for indemnification,¹⁴ as authorized under the Lieber Code of 1863, General Orders No.100. **See Docket Entries #22-24, 12/16/2022.**
9. In accordance with and in pursuance of TWEA § 7(e), the undersigned author, (i), am now entitled to full acquittance and discharge for all purposes of this obligation wherein
- no person shall be held liable in any court for or in respect to anything done or omitted in good faith in connection with the administration of, or in pursuance of and in reliance on, this subdivision, or any rule, regulation, instruction, or direction issued hereunder
- of which is now a “public debt obligation” of United States.
10. Pursuant to U.S. Constitution Amendment XIV, the officers of this Court can neither
- (a) deny to any person within its jurisdiction the equal protection of the laws, nor
- (b) question the validity of this public debt obligation of United States authorized by law with TWEA § 7(e).
11. Furthermore, with the duties prescribed by U.S. Constitution Amendment XIV, Article 5, Congress enacted 18 U.S.C § 242 and 42 U.S.C. §§ 1983, 1985 wherein Sec. 1985 attaches full personal liability to any person “depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws” and/or “preventing or hindering the constituted authorities of any State or

- ¹³ For illustration purposes only: *See* Senate Doc. 11, Vol. 11, No. 105; William Whiting, War Powers Under the Constitution of the United States (1864, reprint 1971), 18. “There is no restriction as to the kind or *character* of private property which may be lawfully thus appropriated, whether it be real estate, personal estate, rights in action or in possession, *obligations for money, or for labor and service*. Thus, the obligations of minor children to their parents, of apprentices to their masters, and of other persons owing labor and service to their masters, may lawfully be appropriated to public use”
- ¹⁴ For illustration purposes only: “*See* 1956 FM 27-10 (Change No. 1 1976) ¶409 (‘If private property is seized . . . a receipt therefor should be given the owner or a record made of the nature and quantity of the property and the name of the owner or person in possession in order that restoration and compensation may be made at the conclusion of the war.’).” Law of War, *supra* note 1, § 11.18.6, 3d para., n.341.

Territory from giving or securing to all persons within such State or Territory the equal protection of the laws.”

12. The first duty of the attorney is to the court, and there is one form of action known as “civil action.” Federal Rules of Civil Procedure, **Rule 2. Rule 19 of the** Federal Rules of Civil Procedure, governs joinder of an indispensable party and requires the “court to perform a two-step analysis before dismissing a claim for failure to join an indispensable person.” Davis ex rel. Davis v. United States, 343 F.3d 1282, 1288 (10th Cir. 2003).
13. Rule 19(a) provides that a person’s presence is “required” if complete relief cannot be accorded in that person’s absence, or resolving the claims without that person may impair the absent party’s interest or subject an existing party to the risk of double, multiple or otherwise inconsistent obligations. EEE Minerals, LLC v. State, 318 F.R.D. 118, 124 (D.N.D. 2016).
14. Under rule 19(a)(2) of the Federal Rules Civil Procedure a required person must be joined if feasible. If joinder is not feasible, the second step of the analysis set forth in rule 19(b) directs a court to “determine whether, in equity and good conscience, the action should proceed among the existing parties or should be dismissed.”
15. Therefore, jurisprudence requires State of Florida and United States to be joined in any legal matter concerning John Henry Doe or JOHN H DOE.
16. Consequently, I hereby move this court to
 - (a) invoke Federal Rules of Civil Procedure Rule 19 to enjoin the indispensable persons,
State of **Florida** and United States, as Defendants to this matter and
 - (b) complete the delivery of the surrender held in trust by the officers of the Court to the required, indispensable parties in execution of both the law and my will for the benefit of all parties concerned.
17. Whatever might have been undersigned’s “losses” had undersigned been left free to exercise undersigned’s own “business judgment,” the crucial fact is that State of **Florida** and United States choose to intervene in undersigned’s “business judgment” by taking possession of the live birth event and

operating control by registering such event to secure the Social Security Funds and other grants offered by United States. By doing so, State of Florida and United States became the proprietors and, in the absence of contrary arrangements, are entitled to

the benefits and subject to the liabilities which that status involves. PeWee Coal, 341 U.S. at 118-119.

18. In the alternative, proof of claim is required that either

- (a) United States paid State of **Florida** to register and or record man/people born for conversion into a governmentally recognized "surety," "franchise," "tax payer," or a "statutory or juristic Person," or
- (b) an alternate agreement exists to rebut PeWee Coal.

19. Else this constitutes further evidence that (i) am the Act of God for the birth event registered and recorded by State of **Florida** and United States, which was beyond my control and done in infancy in this jurisdiction of insurance and contract and, as a result, i invoke and declare force majeure in regard to this matter.

20. To this end, the undersigned author, (i), hereby accept the oaths of office for the officers of this Court in tender for discharge of Constitutional duties and obligations for fulfillment of the law.

By: _____
John Henry Doe, Grantor

State of **Florida**)
) ss.
County of Pinellas)

Subscribed and sworn to (or affirmed) before me, a Licensed Notary in the State of **Florida** on this 9th day of May, 2023, by **John Henry Doe** who proved to me on the basis of satisfaction evidence to be the living man who is present before me.

Notary Signature

(seal)

My commission expires _____, 20__